

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

MARK K. JANUARY
and WANDA W. JANUARY,

Plaintiffs,

v.

EQUIFAX INFORMATION SERVICES, LLC;
AMERIHOME MORTGAGE COMPANY, LLC;
and MIDLAND MORTGAGE COMPANY,

Defendants.

Case No. 3:23-cv-00431-REP

**SECOND CONSENT MOTION TO EXTEND
TIME TO FILE A RESPONSIVE PLEADING**

With the consent and agreement of Plaintiffs Mark K. January and Wanda W. January (“**Plaintiffs**”), Defendant Midland Mortgage Company (“**Midland**”), by and through undersigned counsel, pursuant to Federal Rule of Civil Procedure 6(b)(1)(A) and Local Civil Rule 7(F)(2), hereby moves for a second extension of the deadline to respond to the Amended Complaint filed by Plaintiffs through and including January 22, 2024. In support, Midland states as follows:

1. Midland was served with Plaintiffs’ Amended Complaint on December 12, 2023.
2. Midland, with the consent of Plaintiffs, moved for and received an extension of the response deadline through January 12, 2024 (ECF No. 32).
3. The parties are actively engaging in settlement discussions in an effort to resolve the pending claims without incurring additional fees and expenses.

4. For this reason, Midland respectfully requests, with Plaintiffs' consent, that the Court extend the deadline to answer or otherwise response to the Amended Complaint through January 22, 2024.

5. Good cause exists for this request as the additional time may avoid the unnecessary expenditure of the Court's and the parties' resources.

6. The Court has not yet entered a scheduling order in this matter, and the granting of this request will not prejudice any party nor will it delay any deadlines established by this Court.

7. Midland preserves all defenses and substantive and procedural rights.

WHEREFORE, for the foregoing reasons and with the consent of Plaintiffs, Midland requests that the deadline to respond to Plaintiffs' Amended Complaint be extended through and including January 22, 2024, in accordance with the proposed Order attached hereto.

Respectfully submitted,

Midland Mortgage Company

By Counsel

Dated: January 10, 2024

NELSON MULLINS RILEY & SCARBOROUGH LLP

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CERTIFICATE OF SERVICE

I hereby certify on January 10, 2024, that the foregoing document was served via the CM/ECF list maintained by the Court in this matter upon the parties listed below:

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